

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENDLE RASHEN HAWKINS,

Defendant.

No. CR21-5213 RSM

ORDER GRANTING DEFENDANT'S
MOTION TO CONTINUE TRIAL DATE

THIS MATTER comes before the Court on Defendant Kendle R. Hawkins' Motion for a Continuance of the Trial Date. The court has considered the reasons for the motion, the agreement of the United States, and the file herein.

The Court finds that counsel for the defendant needs additional time to investigate the evidence supporting the charges brought by the government, determine the need for any pretrial motions pertaining to the evidence, and prepare for trial.

Based on these findings, the Court concludes that the continuance of the trial date sought by the defendant serves the ends of justice. Further, the ends of justice served by a continuance of this matter from December 5, 2022, outweighs the best interests of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). Proceeding to trial absent adequate time for the defense to prepare could

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1 result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i). Taking into account the
2 exercise of due diligence, a continuance is necessary to allow the defendant the reasonable
3 time for effective preparation for his defense. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 Therefore, it is hereby

5 ORDERED that Kendle R. Hawkins' Motion to Continue the Trial Date is
6 GRANTED. The Pretrial Motions Cut Off Date is continued to February 2, 2023. Responses
7 to motions shall be due two weeks after the Pretrial Motions Cut Off date. The Trial Date is
8 continued to March 20, 2023.

9 It is further

10 ORDERED that the time from the current trial date of December 5, 2022, until the
11 new trial date of March 20, 2023, shall be excluded in counting the time within which trial of
12 this case must commence pursuant to 18 U.S.C. § 3161(h)(7).

13 DATED this 5th day of October, 2022.

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16 RICARDO S. MARTINEZ
17 UNITED STATES DISTRICT JUDGE

18 Presented by:

19 /S/ John M. Sheeran
20 JOHN M. SHEERAN, WSBA#26050
21 Attorney for Defendant Kendle R. Hawkins
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